



## HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

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### August Minutes

Thursday, August 3, 2017; 7:00 p.m.

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The seventh meeting of the Historic Preservation Commission was held on Thursday, August 3, 2017 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the July minutes. Mr. Reich seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Lewis Taylor, and Yvette Zhou

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#### PLANS FOR APPROVAL

##### Consent Agenda

1. HPC-17-14c – 8069 Main Street, Ellicott City
2. HPC-17-47 – 8637-8639 Frederick Road, Ellicott City
3. HPC-17-48 – 8436-8440 Merryman Street, Ellicott City
4. HPC-17-49 – 8167 Main Street, Ellicott City
5. HPC-17-50 – 8197 Main Street, Ellicott City
6. HPC-17-51 – 8239 Main Street, Ellicott City

##### Regular Agenda

7. HPC-15-11c – 3880 Ellicott Mills Drive, Ellicott City
8. HPC-13-48c – 3880-3884 Ellicott Mills Drive, Ellicott City
9. HPC-17-52 – 8085 Main Street, Ellicott City
10. HPC-17-53 – 8267 Main Street, Ellicott City
11. HPC-17-54 – 3646 Fels Lane, Ellicott City
12. HPC-17-55 – 8167 Main Street, Suite 105, Ellicott City
13. HPC-17-56 – 3713 Old Columbia Pike, Ellicott City
14. HPC-17-57 – 3744 Old Columbia Pike (3731 Hamilton Street), Ellicott City
15. HPC-17-58 – Fences along stream retaining walls between Parking Lot F and Lot E and along Court Avenue

#### OTHER BUSINESS

1. Discussion of Ellicott City Master Plan

## CONSENT AGENDA

### **HPC-17-14c – 8069 Main Street, Ellicott City**

Final tax credit 20.112 approval.

Applicant: Len Berkowitz

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant was pre-approved on February 2017 to change the shape of the storefront windows to square windows and to repair and repaint the damaged stucco. The Applicant has submitted documentation that \$15,468.72 was spent on the work and seeks \$3,867.18 in final tax credits.

**Staff Comments:** The line item for the exterior painting is for painting of the front and rear of the building, but only the work to the front of the building was pre-approved. Staff recommends dividing the amount in half to account for the front versus the rear of the building. Otherwise, the invoices comply with the work being claimed and the cancelled check is for a greater amount, as other work was included within the scope of overall work. Therefore, Staff recommends reducing the total by \$1,771.00, which is half the cost of the painting, for a total tax credit of \$3,424.43.

**Staff Recommendation:** Staff recommends Approval of the final tax credit of \$3,424.43.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted for the final tax credit of \$3,424.43. Mr. Reich seconded. The motion was unanimously approved.

### **HPC-17-47 – 8637-8639 Frederick Road, Ellicott City**

Final tax credit 20.113 approval.

Applicant: Ron Peters

**Background & Scope of Work:** This property is listed on the Historic Sites Inventory in the HO-899 Frederick Road Survey District, but is not within the Ellicott City Historic District boundaries. According to SDAT the building dates to 1920, but the County Architectural Historian finds the building dates to 1873, as the deed mentions the foundation of the house being constructed on the lot at that time. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$148,900. The difference in the assessment that is eligible for the tax credit is \$147,900.00. The Applicant has submitted documentation that a total of \$48,517.36 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$14,997.06. As a result, Staff will only review the expenses needed to max out the tax credit and confirms that there are \$19,907.00 in qualified expenses for restoration work that includes the rental of air movers and dryers for the flood water/mud, expenses to hang and finish drywall, interior repairs and carpentry, replace flooring, painting, electrical repairs to damaged wiring, and foundation repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures." The structure was re-assessed in March 2017 and the application has been filed within one year of the re-assessment.

**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**HPC-17-48 –8436-8440 Merryman Street, Ellicott City**

Final assessment tax credit approval.

Applicant: Ronald Peters

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$132,300. The difference in the assessment that is eligible for the tax credit is \$131,300.00. The Applicant has submitted documentation that a total of \$46,412.51 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$13,313.82. As a result, Staff will only review the expenses needed to max out the tax credit and confirms that there are \$18,555.17 in qualified expenses for restoration work that includes interior work for framing, insulation, drywall, painting, flooring, exterior repairs, and reinforcement of the floor.

The work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures." The structure was re-assessed in March 2017 and the application has been filed within one year of the re-assessment.

**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**HPC-17-49 – 8167 Main Street, Suite 105, Ellicott City**

Certificate of Approval for new sign.

Applicant: Yanxia Zhou

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1987. The Applicant seeks approval to install a double sided hanging sign on the front of the building, which will replace a business sign that is no longer in use. The proposed sign will be 24 inches high by 30 inches wide for a total of 5 square feet. The sign will have a white background with burgundy text and contain the business name on two lines with a small graphic on the third line:

Angel Touch  
Massage

The sign will be hung on the bracket that currently contains the sign for Hi-Pro Media, which is no longer a tenant in the building.

**Staff Comments:** The sign complies with Chapter 11 recommendations for signs, “use simple, legible words and graphics” and “use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade.” The sign will only use two colors, burgundy and white. The size of the sign, at 5 square feet, also complies with Chapter 11.B recommendations for projecting signs, “limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City’s small, attached commercial buildings.” The sign will be a metal sign and it will hang on an existing metal bracket.

This building has been mentioned by Staff in the past as being at risk for a proliferation of signs. In this instance, an existing sign that is no longer in use will be removed and this sign will be installed. The existing projecting sign on this building is 24x36, which is 6 square feet. The proposed sign will be slightly smaller. The sign uses different colors than the existing sign for Main Street Yoga, but the signs will be similarly sized and shaped, which complies with Chapter 11.B, “If more than one sign is used to identify a building’s tenants, use signs that are similar in scale, harmonious in style and color, and located symmetrically or uniformly on the building.”

**Staff Recommendation:** Staff recommends Approval as submitted.



Figure 1 - Proposed sign



Figure 2 - Location of proposed sign

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**HPC-17-50 – 8197 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$767,400.00. The difference in the assessment that is eligible for the tax credit is \$766,400.00. The Applicant has submitted documentation that a total of \$186,532.24 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$77,712.96. As a result, Staff will only review the expenses needed to max out the tax credit and confirms that there are \$107,532.00 in qualified expenses for restoration work that includes replacing damaged flooring and molding, and replacing the damaged foundation wall.

The work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures." The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**HPC-17-51 – 8239 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$122,400.00. The difference in the assessment that is eligible for the tax credit is \$121,400.00. The Applicant has submitted documentation that a total of \$96,325.09 was spent on restoring the building.

**Staff Comments:** Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$12,309.96. As a result, Staff will only review the expenses needed to max out the tax credit and confirms that there are \$24,472.00 in qualified expenses for restoration work that includes replacing gas line, plumbing and electric work, and painting/interior finish work.

The work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures." The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

**Staff Recommendation:** Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**REGULAR AGENDA**

**HPC-15-11c – 3880 Ellicott Mills Drive, Ellicott City**

Final tax credit 20.112 claim.

Applicant: Laura Steensen

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1800. The Applicant seeks final tax credit approval for case HPC-15-11, in which the Applicant was pre-approved to replace 10 vinyl windows with new 6:6 Kolbe vinyl clad wood windows. The Applicant has submitted documentation that \$6,000 was spent to remove and install the new windows and that \$13,174.89 was spent to purchase new windows. The total cost of the new windows is \$19,174.89.

The Applicant has also included an invoice for work performed by the preservation consultant from March 2013 to July 2016 for a total of \$6,426.45.

**Staff Comments:** The Applicant is the homeowner, who also happens to be the MHIC license holder for Green Building Alternatives. Green Building Alternatives is the general contractor whose invoices are included in the application package. As such, Staff requested copies of invoices from subcontractors. The copies of cancelled checks that have been submitted in the application package are written from both Green Building Alternatives and the Steensen family. The documentation for the windows consists of invoices, receipts and cancelled checks, which does add up to the requested amount of \$19,174.89, for a tax credit of \$4,793.72.

However, the invoice provided for the preservation consultant is for work performed from March 2013 to July 2016. March 2013 is when the legislation was approved that added in preservation consultant fees as an eligible expense, however that legislation did not go into effect until May 5, 2013. For the purpose of this tax credit claim, the work needs to directly relate to the application for the windows. Staff does not find that all of the work performed by the consultant can be approved under this claim for the replacement of the windows.

**Staff Recommendation:** Staff recommends approval of the work to the windows for a tax credit of \$4,793.72.

**Testimony:** Mr. Shad swore in Laura Steensen. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Steensen said no.

Ms. Tennor asked if Ms. Steensen agreed with the Staff's comments. Ms. Steensen said yes, she understood that the work performed by the consultant must be applicable to a specific item of the project. Ms. Burgess said Ms. Steensen can still return to the Commission with a detailed invoice that breaks down the work done for the windows, since Staff did not receive information in this application to determine eligibility. Ms. Steensen said a breakdown of items will be difficult, since the consultant has done lots of work.

**Motion:** Ms. Tennor moved to approve the application per Staff recommendations for a tax credit of \$4,793.72. Mr. Roth seconded. The motion was unanimously approved.

**HPC-13-48c – 3880-3884 Ellicott Mills Drive, Ellicott City**

Final tax credit 20.112 claim.

Applicant: Laura Steensen

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1800. The Applicant seeks final tax credit approval for case HPC-13-48, in which the Applicant was pre-approved to remove the concrete front porch steps and replace them with wooden steps and railings, to excavate along the southwest corner of the main house and porch and repair porch joists as needed, and to excavate away from the historic barn foundation.

The Applicant has submitted documentation that \$12,215.00 was spent on eligible, pre-approved work.



**Staff Comments:** The Applicant is the homeowner, who also happens to be the MHIC license holder for Green Building Alternatives. Green Building Alternatives is the general contractor whose invoices are included in the application package. As such, Staff requested copies of invoices from subcontractors. The copies of cancelled checks that have been submitted in the application package are written from Green Building Alternatives, not the Steensen family. However, the checks do add up to match or be greater than the amount shown in the subcontractor invoices.

**Staff Recommendation:** Staff recommends final tax credit approval in the amount of \$3,053.75.

**Testimony:** Ms. Steensen was already sworn in during the previous case. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Steensen said no.

**Motion:** Ms. Tennor moved to approve the application as submitted per Staff recommendations for a final tax credit of \$3,053.75. Mr. Reich seconded. The motion was unanimously approved.

**HPC-17-52 – 8085 Main Street, Ellicott City**

Certificate of Approval for exterior repairs/alterations.

Applicant: Michael Baldwin

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920, but was severely damaged in a November 1999 six alarm fire. The property recently came before the Commission in November 2016 in case HPC-16-101 for the repairs needed due to the July 30, 2016 flood. The Applicant has returned as new work has been identified.

The Applicant seeks approval to replace the wood siding on the east side of the building that spans the Tiber River with Boral TruExterior Siding from the Craftsman Collection in Cove/Dutch Lap. The product has the same profile as the existing wood siding, as shown by a sample submitted. The Boral website states that the Boral siding “installs with standard woodwork tools and methods, accepts paint of any color, resists rot and termite attacks, maintains a high level of dimensional stability and does not crack or split from moisture.” The Boral siding will be painted tan (McCormick Paints ‘Courtyard’ 0344) which was the previously approved color from case 16-101. Figures 3 and 4 below show alterations that were approved in HPC-16-101.

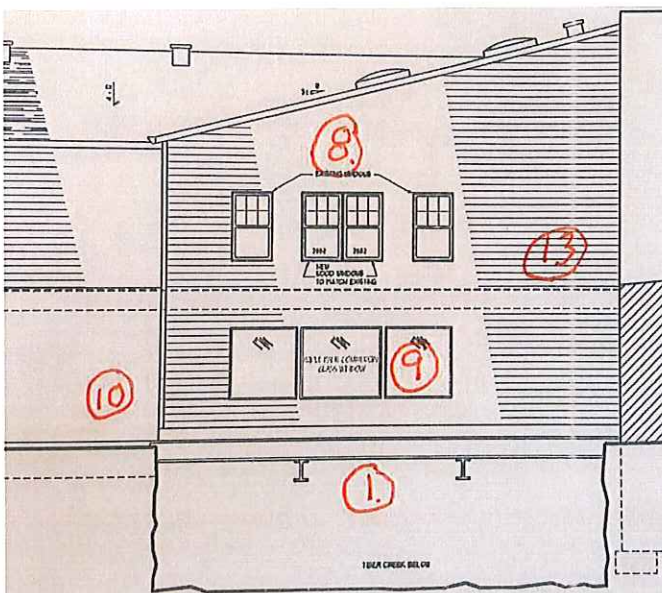


Figure 3 – Approved alterations to east side of building HPC-16-101



Figure 4 – East side of building in August 2016



The Applicant also seeks approval to remove and replace the concrete stoop and historic tile work at the front entrance to the building. The entrance consists of a marble step leading to the tiled landing. The front of the tiled landing was originally capped in marble, which was damaged in the flood as shown in Figures 5 and 6. The application explains that the “stoop cracked during the flood and settled toward the building. To fix the problem we planned to jack it up, level it to the floor and create a pitch to allow water to drain to the street. However, it was discovered from below that the concrete/mortar is not strong enough to do this. It is crumbling and unsafe.” The Applicant will then “remove the concrete and tile, frame and flash the affected areas, pour new concrete and replicate the existing tile work. The existing step will be used and new marble will be added as a facing to the front of the tiled area” to match the original conditions. The tile appears to be a hexagonal marble tile surrounded by a border of white/marble and maroon square tiles.



Figure 5 - Historic tiled landing



Figure 6 - Condition of entry after flood

**Staff Comments:** The side of the building has been altered over time and is not in its original condition. The Commission also approved a series of new windows in HPC-16-101 to showcase some original interior features of the building and present a more aesthetically pleasing façade to the river/Tiber Alley (see Figures 3 and 4).

Chapter 6.D states, “If wood siding must be replaced on a historic building, a composite siding material may be considered, if wood is not a viable option, the composite siding conveys the appearance of the historic material, and application of substitute material does not damage or obscure historic features. The texture, width, shape, profile and finish of the substitute siding material should be similar to the wood siding it replaces.” The proposed Boral product has many benefits that are ideal for this side of the building, such as being resistant to rot and the ability not to split or crack from moisture. The side of 8085 Main Street is not directly adjacent to Tiber Alley, there is another building at 8081 Main Street that separates it from the alley. As a result, this product will be indistinguishable from new wood siding at this distance. The photos below show the Boral product on the right and the older split wood siding

on the left. The appearance of both products is very similar in both structure and form, in having a smooth texture and the same weight (see Figure 7).



Figure 7 - Wood siding (left) compared to Boral siding (right)

Staff recommends the Applicant re-use the existing tile if possible, rather than purchasing new tile. While the marble tile may be replicated without any differences in appearance, the other tile may differ in appearance. Staff recommends the replacement marble match the existing marble as closely as possible in color, as the existing marble step is very white. Chapter 6.H recommends against “unnecessarily replacing original doors and entrance features on historic buildings” and Chapter 6.K recommends against “removing or replacing historic storefront details that could be repaired.” While the concrete is an issue that needs to be addressed, it would be preferable to re-use the historic tiles that can be re-used.

The Applicant has not indicated whether they are seeking tax credit pre-approval for these items. Staff finds the tile/entrance work is eligible for tax credits. Staff requests the Commission determine if the replacement siding is eligible.

**Staff Recommendation:** Staff recommends Approval of the tile/entrance work as submitted, but recommends the Applicant re-use the existing tile if possible, rather than replacing it, but finds replacement is fine if it cannot be salvaged. Staff recommends tax credit pre-approval for the work.

Staff recommends Approval as submitted for the Boral siding along the east side of the building and tax credit pre-approval, if the Commission determines it is eligible.

**Testimony:** Mr. Shad swore in Michael Baldwin. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Baldwin said he preferred Boral siding because it was more resistant to mold and decay, especially since the existing siding on the part of the building that spans over the Tiber River did not hold up well. The paint also holds better over a longer period on the Boral siding, requiring less maintenance, which outweighs the expensive material cost.

Mr. Reich asked what Boral siding is made from. Mr. Baldwin said it is a mixture of fly ash, which is made from burning coal. Boral siding can be used in water and will not deteriorate. Ms. Tennor asked if the



Boral siding's weight is comparative to wood. Mr. Baldwin said Boral siding may be slightly heavier than wood.

Mr. Baldwin brought a sample of the existing siding from the building, dating around 2001, that shows significant rotting. Mr. Baldwin said once installed, the Boral siding will not be distinguishable from wood siding, but the Boral siding will last longer over time. Ms. Tennor asked if Boral is a new product. Mr. Baldwin said because Boral costs more than HardiePlank, Boral is not commonly seen in the stores, since consumers tend to use HardiePlank because it costs less. Mr. Baldwin said, although the wood and Boral siding products would have a similar profile when installed, HardiePlank does not have the shadow lines. Furthermore, HardiePlank cannot be exposed to water or it will deteriorate.

Mr. Reich asked if the Boral siding will be painted. Mr. Baldwin said yes, it will be painted. Since the material does not shrink or expand with weather and absorb water, the paint will adhere better over a longer period. Mr. Reich asked if the paint color was part of the original application. Ms. Holmes said the paint color was submitted last November. Mr. Baldwin asked to paint the Boral siding tan rather than white, because white is prone to dirt and tan will look better over time.

Mr. Reich asked if the tile can be saved and used again. Mr. Baldwin said he did not know, since the tiles were crumbling. Ms. Tennor asked if there a product that adheres to the tiles and pulls them from the concrete for salvage. Mr. Baldwin said to salvage the tile, each tile would need to be chipped off individually and he was unsure if that would be possible. Mr. Baldwin said he would like the tiles to be replaced, then replicate the original design. Mr. Reich asked if the pattern will be matched to the original, including the decorative border. Mr. Baldwin said yes.

Mr. Reich asked about the front exterior marble stoops. Mr. Baldwin said the marble stoops will remain and another piece of marble will be added to face the front, because one of the original pieces broke and washed away during last July's flood. Ms. Holmes asked for the Commission's recommendation for the siding tax credit. Ms. Tennor said the siding tax credits would be approved.

**Motion:** Ms. Tennor moved to approve the application as submitted per Staff recommendations, for tax credits for the replacement of the siding on the side of the building with Boral siding. The Applicant has the option to save or replace the tile with in kind material. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-17-53 – 8267 Main Street, Ellicott City**

Certificate of Approval for exterior alterations.

Applicant: Bridget Graham, Howard County Tourism

**Background & Scope of Work:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-752. The building dates to 1940 and was constructed as a Post Office. The Applicant came before the Commission in May 2017 in case HPC-17-28 to remove the large spruce tree in the front yard and level out the soil that was left behind from the flood. An update to that application is that the spruce tree will be transplanted to Centennial Park, where it will be used for the Recreation and Parks annual tree lighting event. The Applicant has been working on a master plan for the property at 8267 Main Street and now has a plan to present to the Commission and seeks approval for the work.

The Applicant seeks approval for the following work:

- 1) The installation of two rain gardens in front of the building, one on each side of the front walkway.
- 2) The installation of the 2017 ArtSite artwork.
- 3) New interpretive signs for the rain gardens.

The rain gardens would be located in front of the historic building, one on each side of the front walkway. The Applicant worked with Howard EcoWorks, through the Howard County Office of Community Sustainability, on the design of the rain gardens. The rain gardens were designed to qualify for MS-4 credit (which is a state mandate to treat impervious surfaces). The garden will contain phlox, erigeron, iris, tiarella, penstemon, rudbeckia, dwarf liatris, lobelia, ilex, aster alert, eurybia, solidago, carex, panicum, polystichum and sedum. The garden will also have an irregular flagstone path that will lead to the proposed location for the 2017 ArtSite artwork on the right side and on the left side will lead to the flagpole. It does not appear the flagstone path will allow someone to walk through the garden.

The Applicant has provided the following supplementary information on the proposed rain gardens, "The rain garden will be approximately 2 feet deep at its deepest. The plants in question were specifically chosen because they're dwarf varieties. The Aster "Alert" will get 12" tall, and the Solidago "Golden Fleece" will be approx. 12-18". These dwarf varieties were chosen specifically for this location so as not to get in the way. The overall height of the plants will also cut down on maintenance over the years as they fill in and cut down on mulching and weeding costs."

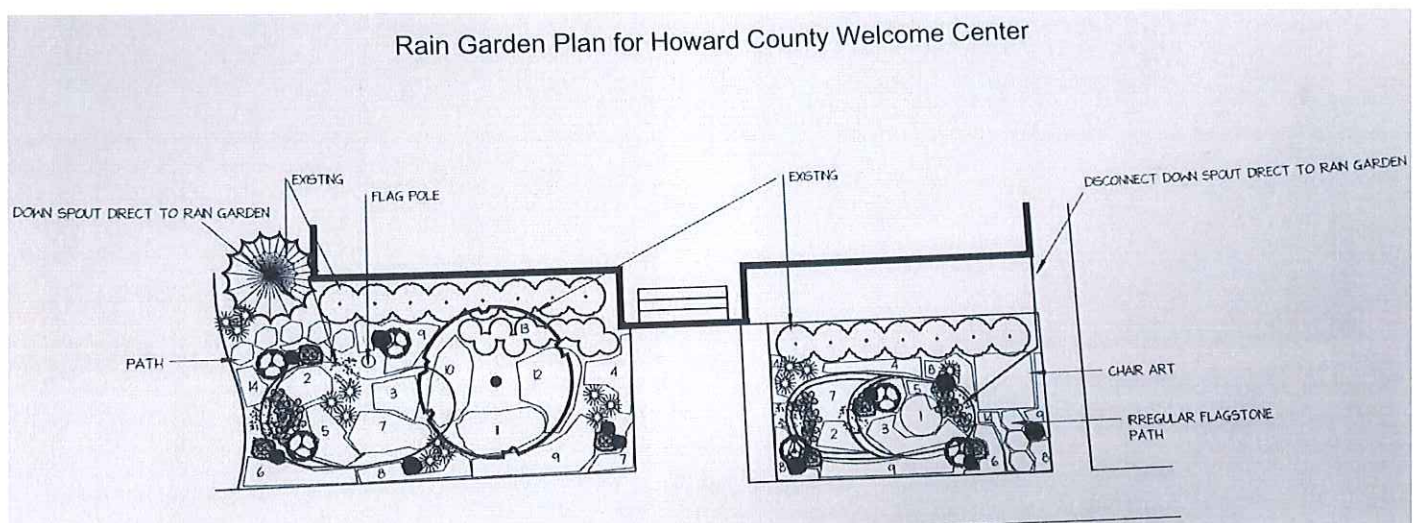


Figure 8 - Proposed rain gardens. The larger east garden is on the left and the smaller west garden is on the right.

A location is shown in the landscape plan above for the 2017 ArtSite artwork and for future ArtSites or artwork, on the right side of the yard, in front of the existing shrubs (which are to remain). The artwork is a three dimensional piece that is stained and painted wood that is 5 feet wide by 10 feet high by 5 feet long, as shown in Figure 10.





Figure 9 - Front of Visitor's Center



Figure 10 - Proposed art work



Figure 11 - Proposed sign style

Interpretive signs are proposed for inclusion within the rain garden area in order to provide an education opportunity for the community and visitors. The proposed style will match the existing Civil War Trail sign on site, show in Figure 11.

**Staff Comments:** Rain gardens are a good idea where they can be utilized for the practical purpose of absorbing rain water and for providing educational opportunities. The Tourism building (historic Post Office) is an effective location for educating the community since there are many visitors. The Post Office was constructed in the Georgian revival style, in a time when civic and Federal buildings were still being constructed in the classical revival styles and designed to be landmark buildings. The proposed use of perennials in an informal manner is inconsistent with the formal setting of the building. Chapter 9.B of the Guidelines explains, "Landscape plantings in Ellicott City are generally informal with an abundance of trees, shrubs and gardens where land is available. Large open lawns and formal repetitive planting patterns are not typical." This building is one of the rare cases where formal plantings and an open lawn would be typical and in-keeping with the architecture and historical style of the building. Chapter 9.B recommends, "retain landscaping patterns that reflect the historic development of the property. Use



historic photographs or landscaping plans if these are available.” If it is possible to construct the rain garden in a more formal manner, using plants that are more common to a formal setting, while still compatible with the functionality of the rain garden, that would be ideal and would better comply with the Guidelines.

Initially Staff was concerned at the potential height of the plantings as aster and solidago exceed 3 feet, if not 4 feet, in height when mature, but the Applicant has confirmed that dwarf varieties were chosen. The Applicant has also indicated they are flexible with the proposed plantings. Staff was also concerned about the ability to access the downspout by the ADA ramp, but the Applicant has confirmed a contractor stated they will be able to access this downspout for the rain garden, without disrupting use of the ramp.

Chapter 9.B states, “locate, drain and maintain landscape planters to minimize moisture retention that could damage the siding and foundation of adjacent buildings.” While the rain garden should not affect the foundation of this building, Staff recommends the contractor confirm that the proposed rain garden would not have a detrimental effect on the structural integrity of the building.

The rain garden would contain an area for the proposed artwork and future art work to be displayed. The art currently rotates on a yearly basis and is not permanently in place. Staff recommends that any art chosen not block views of the historic building and finds the current proposal is quite tall at 10 feet high. Possibly relocating the art site to the east garden location would lessen the impact on the historic structure as the topography drops off on the east side of the property, but would still provide a strong visibility to Main Street patrons and the community.

The Applicant has also proposed installing interpretative displays. Staff is currently in the process of trying to identify a new standard display for use in the Historic District through the Master Plan process. If possible, Staff requests this item be delayed until a new style has been chosen. Additionally, Staff would require more information on the displays, such as location and mockup of the graphics.

The Ellicott City Master plan process is currently underway. The potential use of the back-parking lot of the Post Office is currently underutilized and could be explored for better uses, such as a pedestrian pocket park that could have a large rain garden and art displays, which would be a more appropriate location, than the front of a formal building.

**Staff Recommendation:** Staff recommends Approval of the rain garden, but recommends a more formal planting scheme be identified in order to protect the historic and architectural integrity of the structure, and that the plantings not exceed three feet in mature height. Staff recommends Approval of the current art, but recommends the location be moved to the east garden location. Staff recommends the interpretative displays be resubmitted at a later date, after Staff has been able to identify a new standard style for use throughout town.

**Testimony:** Mr. Shad swore in Bridget Graham. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Graham said the west side of the property was chosen for the art installation because the ground is already level, requiring less excavation. She explained that the artwork is interactive, giving visitors the opportunity to sit inside the artwork. Therefore, a level area is very important for the safety of visitors. If the proposed location needs to be changed to the east side, the alternate location requires more invasive excavation.

Mr. Reich asked if there is a plant schedule. Ms. Burgess referenced the application, where there are photos of the plantings, along with coordinating numbers.

Mr. Reich said the previously approved eggplant art piece did not impact the historic streetscape, since the height was about six feet and the exhibit was only for nine months. Mr. Reich said the proposed art piece is ten feet high with lots of different colors that will impact the streetscape. Ms. Graham said the proposed art piece is also a nine to eleven-month temporary display.

Ms. Tennor said the proposed location is on a sidewalk allowing visitors access to interact with the artwork. Ms. Graham said she was limited by the physical space in the selection of an art piece that fits well with the property. Other pieces were much taller and required installation on a concrete pad, which involved more construction. Mr. Reich said the ten-foot high art piece will be taller than the front doors, reaching up to the transoms. Ms. Graham said it will be shorter than the spruce tree near the front door.

Mr. Reich asked if bioretention facilities will be installed. Ms. Graham said yes, there will be one in the courtyard near the front entrance to catch rain and storm water, and then irrigate the garden, reducing the pressure on Ellicott City's storm water management system. Mr. Reich said bioretention features usually have a lower elevation and are then topped with four inches of mulch, two feet of bioretention soil, and at the bottom is a drainage system. Ms. Graham said there is not a drainage system, but it will have a layer of rocks allowing water to flow through. Mr. Reich asked if there was an engineering plan for the bioretention facility. Ms. Graham said Howard County EcoWorks was responsible for creating the plans for the proposed garden. Mr. Reich asked for more of a technical plan, but Ms. Graham said she did not have any technical plans.

Mr. Reich said his concern was about the lack of a compatibility between the garden design and the federalist style building back to the 1940s. The property always had a lawn and hedge that buffered the bottom foundation, but the proposed installation does not incorporate the architectural style with the garden. Ms. Tennor said she agreed with Staff's recommendations, and that this is a good example of the difference between landscape architecture and horticulture. Landscape architecture considers the architectural context, but the Applicant's plan does not reflect on the architecture of the building. Mr. Reich said the garden should be grander and more formal.

Ms. Tennor asked about the original two pieces of concrete on either side of the walkway. Ms. Burgess said only the front concrete piece was destroyed by last July's flood and the area is mostly covered in asphalt now. Ms. Tennor said if the Applicant replaces only one of the sidewalk pieces, the symmetry of the building and site will be lost.

Mr. Reich said the bioretention plan can be revised to better fit the façade of the building. Ms. Graham asked the Commission for examples of a formal garden style. Ms. Zoren said one example would be a design that incorporates a symmetrical approach with a formal border, instead of loose stones, and the use of a formal regular planting pattern instead of a random pattern. Ms. Tennor referenced the gardens at Monticello and historic Williamsburg, Virginia as examples, and she said the same plants could be used in a more formal arrangement. Ms. Zoren said the evergreen hedge could be continued along the walkaway so the garden is not visible when approaching the building.

Mr. Reich asked if the application includes the approval for the sculpture in the front. Ms. Burgess said yes, it was applied for all at once.

Mr. Roth liked the art piece, but understood the concerns with the context of the building. He said that if the approach to the front door was to be symmetrical, and if the sidewalk were to be placed on the other side to be symmetrical, it would preserve the character of the building. The symmetry would help reduce the art piece's impact on the streetscape.

Mr. Shad said he was also concerned about the size of the artwork and its impact on the streetscape on Main Street. He said that ten feet high is too tall, too big, for the property.

Ms. Tennor asked what planting will go in the narrow strip between the concrete walk and the platform for the art piece. Ms. Graham said she does not know. Ms. Tennor said the planting in this narrow area will be hard to maintain. Ms. Burgess said looking at Figure 8, the area may have high foot traffic, so the planting will need to be low and able to handle the traffic. They discussed moving the art directly adjacent to the sidewalk to avoid having a narrow strip of landscaping.

Mr. Reich said the Applicant should return with a more detailed plan incorporating the federal architectural style, with symmetry and formality in the design.

**Motion:** Ms. Tennor moved to allow the Applicant to table the application and return in September. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-17-54 – 3646 Fels Lane, Ellicott City**

Certificate of Approval for new patio and retroactive approval for existing patio.

Applicant: Brianna Sanden

**Background & Scope of Work:** In June 2017, the Applicant came before the Commission in case HPC-17-46 for the retroactive approval of a concrete patio. The Applicant withdrew the application to identify a more appropriate paving material after a discussion on the patio made it clear the Commission members were not in favor of the concrete pavers that were used. The Applicant has submitted a new application for the patio that was already constructed and seeks approval to construct a second patio near the existing patio.

The Applicant has submitted several options for pavers, which include: the same concrete pavers spaced with pebbles, stamped concrete in a herringbone pattern, RumbleStone in a herringbone pattern, and a Holland Paver in a herringbone pattern. The existing patio is proposed to remain the same size at 12 feet by 9.5 feet. The second patio is proposed to be 16 feet by 18 feet and would be located in front of the first patio, closer to the street, but behind the old foundation/retaining wall that is on-site. The Applicant said she is also looking into stone products, but has not identified any at this time.

The Applicant also seeks approval to move granite stones from the ground to use on the existing retaining wall, increasing the wall height of some portions by as much as 12 inches.

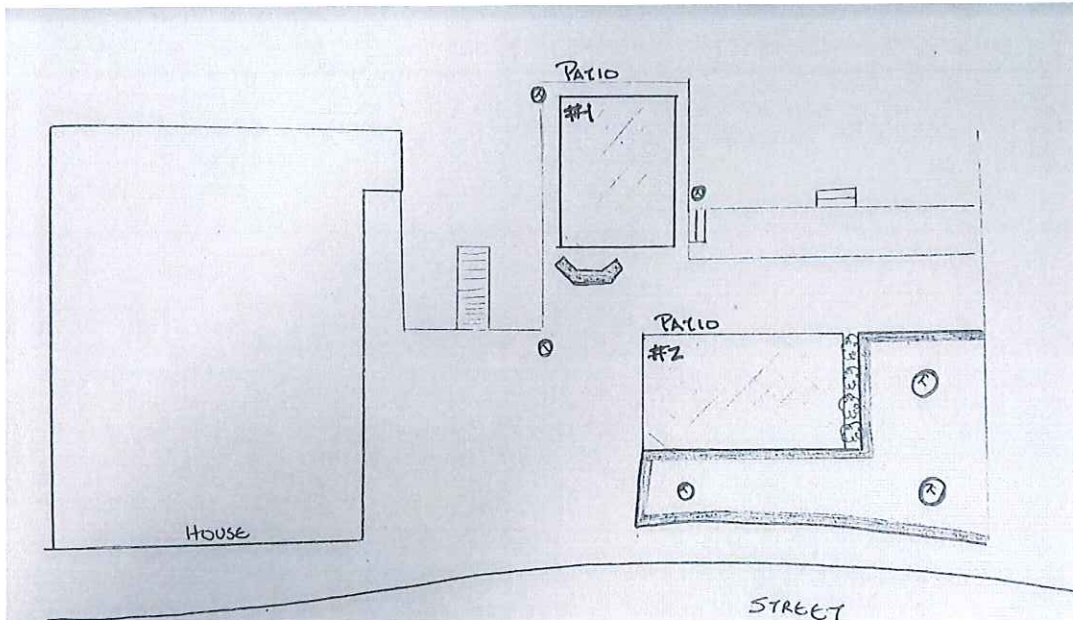


Figure 12 - Site plan showing proposed patio locations

**Staff Comments:** Chapter 9.D recommends, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way” and “construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone.” The Applicant has submitted several options for pavers, which include: the same concrete pavers spaces with pebbles, stamped concrete in a herringbone pattern, RumbleStone in a herringbone pattern, and a Holland Paver in a herringbone pattern. Staff also recommended the Applicant use a natural stone product or consider Pennsylvania Bluestone, but the Applicant has not identified any products yet. The current proposed materials are all concrete. Staff finds the only product submitted that does not explicitly look like plain concrete is the RumbleStone, which appears to be more a gray brick-like product that slightly resembles granite cobblestones.

The retaining walls referenced by the Applicant appear to be the foundation of the historic house that once existed on this site (see Figures 13-15). There are three separate locations of retaining wall that the Applicant references raising in height. Staff recommends the Applicant withdraw this request and return to the Commission with a site plan and elevation drawings that show the existing conditions



Figure 13 - Old foundation wall



and proposed alterations. The stones will need to be significantly reset and rebuilt based on their current condition. The Applicant should indicate whether the stones will be dry stacked or mortared.



Figure 15 - Old foundation wall

**Staff Recommendation:** Staff recommends Approval of the patios if the grey RumbleStone product is used as the paving material in the herringbone pattern. Staff recommends the Applicant return with future plans for the retaining walls that clearly document the existing conditions and proposed alterations.

**Testimony:** Mr. Shad swore in Brianna Sanden. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Sanden said there are gaps in the lower retaining wall that is not visible from the street.



Figure 14 - Old foundation wall

She would like to add stone into these areas. For the retaining walls that are visible from the street, there is enough stone to stack one more layer of stone and she would like to do that. Ms. Holmes asked if the soil will be excavated away in order to stack another layer for the retaining wall. Ms. Holmes said it is not clear what she would be adding another layer to. Ms. Sanden said there is a small tree in the front of the property and a short wall that runs the length of the sidewalk and it runs perpendicular to it and runs 8 feet back also following the sidewalk. Ms. Sanden will be adding stone to this wall. Ms. Holmes asked if it is a concrete wall. Ms. Sanden said it is a concrete wall, but in the front there is a short stack of stones that have tumbled over. She said there are two pine tree further back that there are stones in. Ms. Sanden will add to the stones to these areas. Ms. Holmes said it is up to the Commission, but she does not find there is not enough information in the application to approve the walls. Ms. Sanden said when she wants to remove the fallen stones away, so that patio #2 will be built.

Mr. Reich asked if both patios will be covered with the sample materials she brought to the Commission. Ms. Sanden said she has also obtained a Travertine sample, which could be a possible material option.. Mr. Reich asked if both patios will have concrete pads with the sample materials on top. Ms. Sanden said they will have packed sand, then the stones will be on top. For patio #1, Ms. Sanden said underneath the packed sand is on top of the concrete foundation from the old demolished house.



Mr. Reich asked about a recent application that had RumbleStone. Ms. Holmes said the perimeter of the patio approved the other month featured a larger sized stone and the inside was a different brick sizes. Ms. Zoren asked the Applicant about the preferred stone size. Ms. Sanden said she did not have a preference. Mr. Reich said the RumbleStone is preferred, since they fit better with historic architecture of the site and neighborhood and said the Commission approved RumbleStone recently for another property in the district.

Ms. Sanden said she can do the interior stones in a herringbone pattern with the larger stones, then line the outside with the smaller stones. Mr. Reich said that was a great idea.

Mr. Reich said if the Commission decides on the patios, more information on the stones for the retaining walls is still needed. Ms. Sanden said the #2 patio cannot be built until the large granite boulders are removed from the area. Mr. Reich asked why the Commission is discussing the retaining wall stones. Ms. Holmes said the concern was not about the stones in the yard, but it remains unclear what the Applicant intends to build with these stones in terms of a retaining wall. Ms. Sanden said she wants to stack the stones picked up from the ground on top of the retaining wall. Ms. Holmes said the Applicant can return with a more detailed application including renderings, dimensions and photos that accurately show locations. The new application could be a minor alteration process if the application complies with the Guidelines, is clear and contains all of the information needed.

Ms. Tennor asked if the fallen stones are ruins from the old house no longer there. Ms. Sanden said yes. Mr. Roth asked if the Applicant could store the stones until she knows what she wants to do with them. Ms. Holmes said she can remove them to in order to building the patio and put them in a stack on the side of the yard, but she cannot build retaining walls with them.

Mr. Taylor said there is no difference between stacking and storing stones since the stones should be store out of sight. Ms. Sanden asked if she can use the stones to fix the retaining wall with visible stones missing and store the rest away out of sight. Ms. Holmes said yes, that would be routine maintenance, but that building other walls higher is not routine maintenance.

Mr. Taylor asked if the Applicant is willing to withdraw the stacking of the stones on the retaining wall. Ms. Sanden said yes.

**Motion:** Mr. Reich moved to approve the application as follows: approve gray RumbleStone, approve the herringbone pattern for the middle and a border of either size (small and larger pavers). The Applicant can store the existing stones and use them to replace missing stones in the existing retaining walls. If a new retaining wall will be built with the stones or if the existing retaining wall height will be increased, the Applicant must return for an additional application. Mr. Roth seconded. The motion was unanimously approved.

**HPC-17-55 – 8167 Main Street, Ellicott City**

Certificate of Approval for retroactive exterior alterations.

Applicant: Doug Yeakey

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1987. The Applicant seeks retroactive approval for the installation of two planter boxes that are approximately 17"x18"x20" and 17"x18"x16" and are secured to the building. The boxes have been constructed and installed, but have not yet been painted. The Applicant seeks approval to paint the boxes Garrison Red to match the trim color on the building. The planter boxes have been planted with a faux 3 ball topiary.

**Staff Comments:** These planter boxes will match those retroactively approved at 8143 Main Street, which was the Applicant's first store. The Applicant has since leased the property at 8167 Main Street, which consists of the bottom retail space seen in Figure 16 and the neighboring prior Sweet Cascades retail space. There are currently five planters across the two brick buildings, each planted with a formal 3-ball faux topiary, as shown in Figure 16.

Chapter 9.B of the Guidelines explains, "Landscape plantings in Ellicott City are generally informal with an abundance of trees, shrubs and gardens where land is available. Large open lawns and formal repetitive planting patterns are not typical. In the commercial and office areas, landscaping varies from hillsides overgrown with shrubs and wildflowers to formal public spaces such as the Tiber Pocket Park and the terrace around the Howard County Courthouse. The treatment of public, highly visible landscaped areas is important to the neighboring historic buildings and the Historic District as a whole. New plantings help to retain Ellicott City's landscaping tradition, and the use of indigenous plant materials emphasizes its unique sense of place and ties to the past."

The number of planters conflicts with the Guidelines because it creates a formal, repetitive planting pattern, which the Guidelines state are not typical. The use of the planters was appropriate when it was limited to the one building. The Guidelines also recommend using native plants and while the fake topiaries were suitable in a small setting in front of one building, their expanded use is not fitting for Main Street and visually overwhelms the building. The use of these style of planters and fake topiary along more than one storefront could create a precedent that is not appropriate for Ellicott City.



Figure 16 - Front of building





Figure 17 - Alley between buildings



Figure 18 - Street view of building

This building has been mentioned in several staff reports over the years for being visually overwhelming due to the number of signs on the exterior, including the 'Ellicott Square' sign that has been in disrepair for many years and should be removed from the building since it does not identify any tenants and adds visual clutter. There is another application at this August 2017 meeting for a sign to replace an existing business sign.

As shown in Figures 17-19, the front façade of this building as seen from the street and sidewalk, and the neighboring building containing the Applicant's business, are visually 'busy' and also contain items not approved by the Commission, such as the flags, streetscape furniture and snowball sign.



Figure 19 - Street view of building

**Staff Recommendation:** Staff recommends Denial of the two planter boxes.

**Testimony:** Mr. Shad swore in Doug Yeakey. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Yeakey said he did not think Chapter 9.B Guidelines were applicable, since the planter boxes are decorative and not plantings. The photos showed many tables in front of the building, but Mr. Yeakey was only helping another business owner in the process of moving to sell their merchandise. Mr. Yeakey said the snowball sign was also removed from the building. The bright color Adirondack chairs were switched to darker colors that are more suitable with historic Main Street, as recommended by the Staff. Mr. Yeakey said he has been a good corporate citizen and actively engaged and giving back to the community.

Mr. Reich asked if the planter boxes are permanently attached. Ms. Yeakey said they are permanently attached to prevent vandalism and in case of another flood, so they would not be projectiles. However, the planter boxes can be unscrewed and detached from the ground. Mr. Reich asked if the plants are live. Mr. Yeakey said the plants are faux.

Ms. Tennor said the Applicant had made a similar application in the past for green planter boxes that came before the Commission seeking retroactive approval. The Commission was lenient in not requesting the removal of those planter boxes, but the Applicant is not following the approval process and is seeking retroactive approval again.

Mr. Yeakey acknowledged the previous application was for retroactive approval. Mr. Reich said the Commission did approve the previous planter boxes and the ones before the Commission tonight are similar in design, except for the red color. Mr. Yeakey said the new planter boxes are painted red to match the trim on the building. The photo showed white planter boxes before they were painted.

Ms. Zoren asked the Applicant about the location of the building's property line. Mr. Yeakey said he did not know, but the building owner may know. Ms. Zoren said typically the building line stops at the edge of the building. Mr. Taylor said historic Ellicott City's property lines are old and unique. Ms. Zoren wanted to know if the planter boxes are in the public right of way. Ms. Burgess said the sidewalk is wide and the planter boxes did not seem to be encroaching on the public right of way enough to compromise the safety of pedestrians.

Ms. Tennor said retroactive approval is not preferable, especially since Mr. Yeakey already requested retroactive approval on the last application. Mr. Taylor said whether or not the planter boxes are permanently or temporarily fixed to the ground, the Commission's approval was still required. Mr. Reich said the planter boxes are temporary and decorative, since they can be unscrewed from the ground. Ms. Burgess said anything that exists on the exterior of a building on a daily basis is not temporary, and it is very important to consistently hold everyone accountable in following the Guidelines, to set a good example for the district. Mr. Taylor said if someone installs many planter boxes, regardless of whether they are secured to the ground, they should seek the Commission's approval, if they are on the exterior of the building on a daily basis.

Ms. Tennor asked about the purpose of the planter boxes. Mr. Yeakey said he wanted to mimic the same look and feel of his store next door, on this business. Ms. Zoren said the planters should be all the same color. Mr. Yeakey said he considered the idea, but thought it was better for the planter boxes to match the trim of the building. One building trim is green and the other is red. Mr. Yeakey said he cannot change the building trim color, since he does not own the building.

Ms. Holmes asked if the planter boxes will also be used for the neighboring business "Sweet Cascades". Mr. Yeakey said there are no plans to do so.



Ms. Tennor said it is preferable to have the color of the planter boxes match the trim of the building. It is also preferable for the Applicant to submit the application before implementation rather than seek retroactive approval.

Ms. Burgess said if the Commission were to approve the application, a maintenance plan should be added so if the faux plants deteriorate, the Applicant will be responsible for repair or replacement. Mr. Yeakey agreed and said not maintaining the planter boxes would be a poor reflection on his business. Ms. Tennor asked how the planter boxes would impact future business tenants. Mr. Taylor said if a new tenant occupies the building and wants to continue use of the planter boxes, there would not be a need for a new application. Mr. Taylor said the Commission could make the approval contingent on maintenance of the planter boxes. Mr. Yeakey said he can remove the planter boxes when he leaves.

Mr. Reich said the planter boxes are good features because they do not obstruct the streetscape and help mark the entrance, matching the façade of the buildings.

**Motion:** Ms. Tennor moved to approve retroactively the installation of the planter boxes painted to match the building trim. Mr. Reich seconded. The motion was approved 4 to 1, with Mr. Shad opposed.

#### **HPC-17-56 – 3713 Old Columbia Pike, Ellicott City**

Certificate of Approval for new sign.

Applicant: Gary Brent

**Background & Scope of Work:** This building is located in the Ellicott City Historic District. The exact date of construction is unknown, but this building shows up on the 1959 Sanborn maps. The Applicant seeks approval to install a flat mounted sign on the front of the building. The proposed sign will be 3 feet high by 20 feet wide, for a total of 60 square feet. The sign will be one flat MDO panel with sign foam routed lettering that is attached to the panel. Three black gooseneck lights will be installed above the sign. The sign rendering shows that there will be an inset border painted gold, the letters will be painted white and the background of the sign will be Benjamin Moore Newbury Port Blue, the same color as the building. The letters will be 15.5" inches tall. The sign will read on one line, "Linwood Boutique" with the Linwood school logo and the word 'Linwood' prior to the store name.

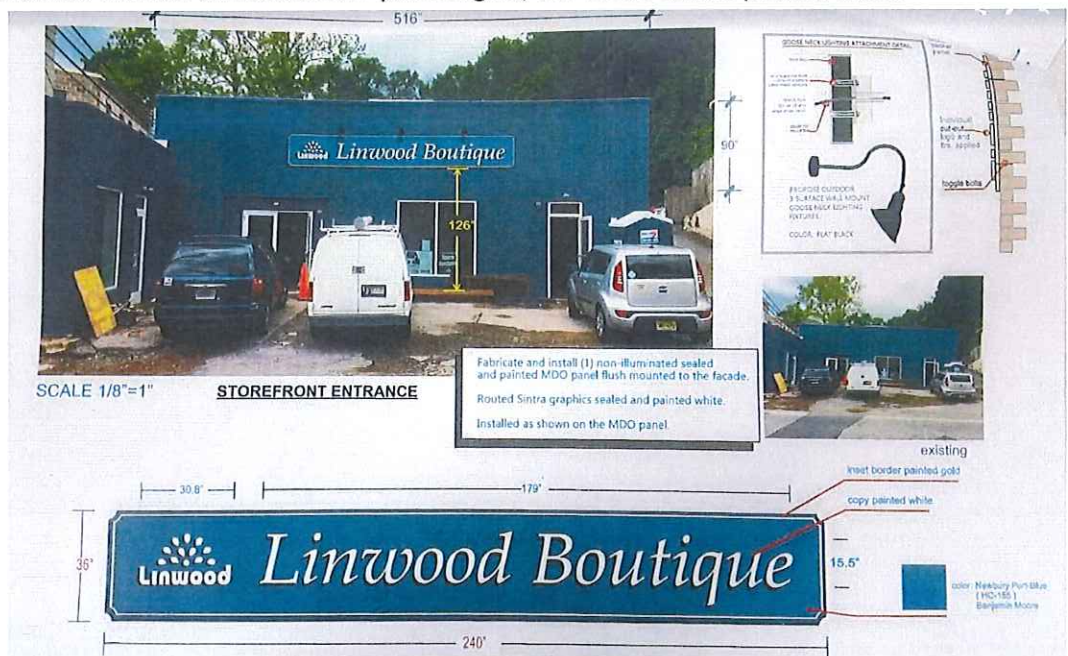


Figure 20 - Proposed sign



**Staff Comments:** Chapter 11 of the Guidelines explains, “Because most of the historic district was developed during the 19<sup>th</sup> century, before automobile travel, the district is scaled to the pedestrian. Signs in the district should reflect this heritage and also be scaled to the pedestrian. Because the signs will be close to viewers, quality and detail are more effective than overwhelming size.” Additionally, Chapter 11.B states, “in most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign. More sign area is appropriate for some of Ellicott City’s larger buildings, where these limits would result in signs that are ineffective or not in scale with the building.” At 60 square feet, the proposed sign is much larger than the Guidelines recommend. This building is set back slightly from the street, but is only one story tall and not big enough to warrant such a large sign. The Commission had a case earlier this year where an 81-square foot sign was proposed for a much larger building located at the rear of a large parking lot. The Commission did not approve the 81-square foot sign and ended up approving a 23-square foot sign.

The gooseneck lights comply with Chapter 11.A recommendations, “use indirect lighting or concealed light fixtures with concealed wiring to illuminate signs. If the light source will be visible, select a fixture compatible with the style of the building. Minimize glare by focusing the light on the sign.”

Chapter 11.B recommends, “Incorporate the sign into the façade of the building. Signs should fit within the lines and panels of the façade as defined by the building frame and architectural details.” This building is very plain and does not have any architectural details that would assist in finding an appropriate location for the sign. The sign is being centered over the building and spanning the width of the building in an attempt to create balance, but the size is too large. There are three doors on the front of this building and it is unclear which door is the main entry door into the retail space. In this case, an awning over the entrance with the business name, may be more appropriate and assist customers visiting the store as well.

Alternatively, the size of the temporary banner that has been installed on the front of the building is more appropriate in size and scale and better complies with the Guidelines. The banner appears to be similar in size to the width of the windows, which utilizes an existing proportion from the building, making the size appropriate. The banner also contains a white background, which better contrasts with the building than the proposed blue sign.

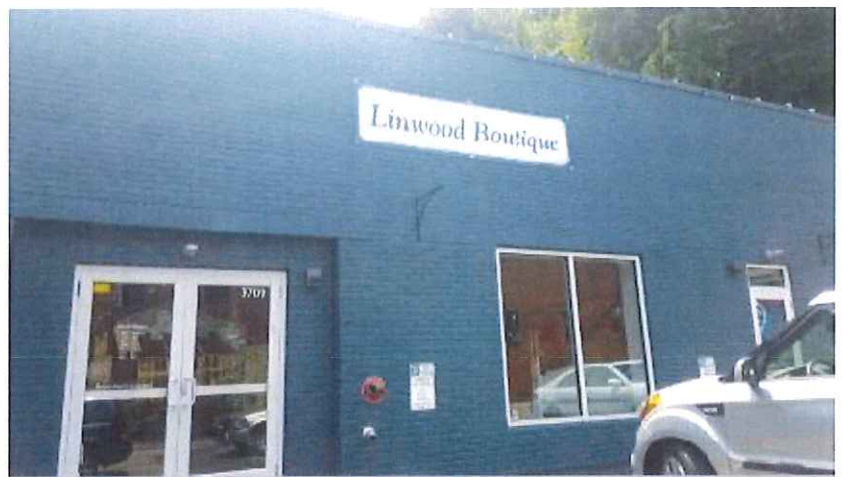


Figure 21 - Temporary banner on facade



Figure 22 - Street view of building

**Staff Recommendation:** Staff recommends Denial as submitted. Staff recommends Approval of an awning sign over the double doors or approval of a sign to match the temporary banner in size and color.

**Testimony:** Mr. Shad swore in Joseph Rutter, Gary Brent, and Peyton Plummer. The Applicant provided a different sign rendering to the Commissioners than originally submitted. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Brent said the proposal has two options with the same size but different color variations. The material for the proposed sign is a quarter inch thick white PVC, the blue backer panel is a three quarter inch thick laminated MDO (medium density overlay)

Mr. Brent said the size of the front sign A is 14.25 square feet. The side sign B is 8 square feet. Based on the linear frontage of the building at 60 feet, they are at 22 square feet. There will be two gooseneck lights installed above sign A.

Mr. Brent said due to the setback in the parking area, sign B helps with visibility when coming down from Old Columbia Pike, since only the side door is visible, not the main entrance. Ms. Tennor asked if the building has only one entrance under sign A. Ms. Plummer said yes. Ms. Tennor asked if the entrance door is recessed for the bottom edge of the proposed sign to be lined with the bottom edge of the recess around the door with no space. Mr. Brent said yes. Ms. Tennor said there should be more visible space around the door. Ms. Tennor said the entrance can be highlighted better by raising the sign above the door to emphasize the recessed doorway.

Ms. Zoren referenced the second mock up and asked if that was what Ms. Tennor was referring to. Ms. Tennor said yes, this example highlights the entrance much better.

Mr. Reich said the Applicant is still within the sign guidelines with both sign sizes. The sign rule calls for one-half square foot of sign per linear foot of façade. The 14 square feet would have 28 linear feet of façade. Mr. Brent said the building has a total of 60 linear feet of façade. Mr. Taylor said that guidelines typically does not apply to two signs. There is another guidelines for two signs.

Mr. Reich said using one sign with the buff color instead of the blue color will help the sign stand out for more visibility. Mr. Brent said the other option is to install a single sign on the front of the building about 30 square foot in size. Ms. Holmes said the sign visibility is not lost because people can see the edge of the building from the pottery store further up on Old Columbia Pike. Ms. Holmes said if the sign size was to be enlarged, the Applicant would need to show the proportions and how it relates to the building. Ms. Plummer said if only one sign is used, the sign can be centered on the building, since the sign does not fit over the entrance. Ms. Holmes referenced the Guidelines, Chapter 11.B, that states, "in most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign." Mr. Taylor said the sign size depends on the scale of the building and should not be based solely on a mathematical rule and pointed out the Guidelines reference a limit of 8 square feet.

Ms. Burgess said using the recessed entrance for sign placement is more ideal than centering the sign on the building, because it clearly marks the building entrance for customers. The large windows are almost door like, making it hard to distinguish where the main entrance is. The location is also a dangerous intersection with lots of traffic, and Ms. Burgess was unsure option B would be ideal. Ms. Burgess said if the Applicant seeks a second sign a pedestrian friendly sign like a projecting sign should be more visible from the intersection of Main Street and Old Columbia Pike. Ms. Tennor said the sign should relate to



the recess around the entry, which will better guide customers. Mr. Reich said the sign size shown over the door is reasonable, anything larger would be too much, most historic Ellicott City shops are allowed a 2x2 foot sign.

Ms. Plummer asked about the possibilities of installing a projecting sign along the edge of the building that would be visible from the Main Street/Old Columbia Pike intersection. Ms. Holmes asked if there is a rendering. Ms. Plummer said the building's edge is shown in the original proposal, but there are no actual renderings. Ms. Holmes said the Applicants can seek approval on sign A from the Commission this evening, then submit a separate application with renderings for the projecting sign.

**Motion:** Mr. Reich moved to approve sign A, option one. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-17-57 – 3744 Old Columbia Pike (3731 Hamilton Street), Ellicott City**

Certificate of Approval for new patio and retroactive approval for existing patio.

Applicant: Jeni Porter

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. The building dates approximately to the 1840s-1850s. The Applicant proposes to construct a deck in the yard along Hamilton Street/Parking Lot D. The Applicant came before the Commission in May 2017 in case HPC-17-30, in which a cedar deck was proposed and approved. The Applicant now has a different proposal for the same space and seeks retroactive approval for the installation of small patio.

Instead of constructing the approved cedar deck, the Applicant seeks approval to construct a brick and bluestone patio. The brick would replace the wood currently retaining the soil to level, shown in Figure 23 below. The brick would be 3.5"x7.5"x2.25". Bluestone slate would be set on top of the soil currently in place. No sand will be used. The bluestone slabs come in 23.5"x36"x1.5" sizes. The patio will have a front rise of 7 inches in the brick. The back border will be built into the existing berm.

The Applicant seeks retroactive approval for the small patio, shown in Figure 24, below. The small patio uses the same brick and bluestone that is proposed for the large patio. The size of the patio is 10 feet long by 4 feet deep, with rounded corners. The max height of the patio is 10 inches as it was built into a small hillside. The small patio is located diagonally across the courtyard from the proposed location of the large patio.



Figure 23 - Proposed location for patio





Figure 24 - Smaller patio that is already constructed

**Staff Comments:** Chapter 9.D of the Guidelines recommends, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The brick that was used on the small patio and that was proposed for the large patio does not match the brick walkways that are on site. This is a prime reason why it is important not to do work without approval; if the Applicant had submitted this spec prior to the construction, Staff would have recommend using a different brick. There is a mix of hardscaping materials in this courtyard vicinity and not all of them have been approved over the years. That is an issue in and of itself, but should not be furthered by adding an additional mix of materials. The choice of brick and bluestone generally comply with the Guidelines, although the same brick should be used to match the existing walkway or the walkway should be replaced to match the patio retaining wall.



Figure 25 - Previously constructed patio without approval that was destroyed in flood

It is unclear why polymeric sand will not be used on the patios. There are rather visible joints on the small patio that was already constructed and polymeric sand will assist in filling the joints and stabilizing the patio. Staff is also concerned at the proposed installation method for the proposed patio, which does not seem to consist of creating the appropriate foundation. If the foundation of the patio is not constructed properly with crushed stone, tamping, and leveling, the patio will crack and break. This was the case with the patio that was constructed without approval last



Figure 26 - Site alterations

summer and was destroyed in the July 30, 2016 flood (see Figure 25). Prior to the flood, after being installed for only a few months, the patio was settling, cracking and breaking apart.

The wood planter retaining wall, gate and chain fence have also been installed without approval, but appear to be from the neighboring property, see Figure 26. This issue will be addressed.

Overall the proposal for the brick and flagstone patios are more appropriate and in-keeping with the character of the area than the cedar deck. However, it is important to use the correct materials to avoid a cluttered look that detracts from the architectural integrity of the historic structures that form Tonge Row.

**Staff Recommendation:** Staff recommends Approval of the patios, contingent upon using a brick that matches the existing walkway and a professional installation to ensure longevity to the patios.

**Testimony:** The Applicant was unable to attend the meeting due to a personal emergency. Ms. Holmes read an email from the Applicant: "Please note the new contractor will have to use crushed stone tampering and leveling, also to use polymeric sand so the patio does not crack or break. I will comply with whatever you approve."

Ms. Holmes said the cedar deck that the Applicant was previously approved for will no longer move forward, due to cost and concerns about building in the floodplain. The new proposal is a patio at the same location where the deck was to be built. The Applicant's neighbor constructed a planter box retaining wall and the Applicant constructed a small patio adjacent to the retaining wall without approval, and is now seeking retroactive approval.

Ms. Tennor did not understand the purpose of the patio. Ms. Holmes said the purpose was for an elevated stage for entertainment in the courtyard.

Mr. Reich said the patio does not fit with the architecture. The patio would be okay if it had a stone retaining wall rather than brick pavers.

Ms. Zoren asked if the railing around the walkway will require retroactive approval. Ms. Tennor said the railing height is not high enough to require by code so it will not need retroactive approval.

Mr. Reich said the Commission could approve a stone retaining wall with blue stone pavers where the brick currently is as shown in Figure 24. Ms. Zoren would like to see a detailed site plan with dimensions and landscaping that shows how the patio relates and connects to the rest of the area.

Ms. Tennor asked what can be done about the wood planter box. Ms. Burgess said it is on a different property, but Staff has been working with the tenant, who is in violation due to several installations on the property that were never approved. Ms. Holmes said it is the same building owner, but different business tenants.

**Motion:** Mr. Reich moved to table this application until the next public hearing. Ms. Tennor seconded. The motion was unanimously approved.



**HPC-17-58 - Fences along stream retaining walls between Parking Lot F and Lot E and along Court Avenue**

Certificate of Approval to install fences.

Applicant: Brian Cleary, Howard County Department of Public Works

**Background & Scope of Work:** This property is located in the Ellicott City Historic District. The historic stream retaining walls were severely damaged in the July 30, 2016 flood. The initial repair of the walls was presented to the Commission first for Advisory Comments in October 2016 in case HPC-16-86. The application for Certificate of Approval to repair/replace the walls was approved by the Commission in February 2017 in case HPC-17-13.

The Applicant now seeks Approval to install fencing in five locations along the stream walls and the Court Avenue stream wall as shown in Figure 27. The Code states that 42-inch-high fences are required for safety purposes. The fences are proposed to protect a person from falling into the river or flipping over the stone walls.



Figure 27 - Site plan showing location of fences

All black metal fences are proposed to be the Aberdeen aluminum fence. Fence Number 1 will be located on the north side of the stream and is proposed to be a 48-inch-tall black aluminum fence and will be approximately 210 feet in length. Fence Number 2 will be located along the section of retaining wall adjacent to Court Avenue. It will be a 42-inch-high black aluminum fence and will be approximately 58 feet in length. Fence Number 3 will be a black aluminum fence and will be located parallel to Court Avenue. This fence will be 12 inches high as it is located on a top of a three-foot stone wall and will be approximately 42 feet in length. Fence Number 4 will be located on the south side of the stream and will be a black aluminum fence and will be 42 inches tall and approximately 17 feet in length. At this location, the fence will transition to Fence Number 5 and will be a 42-inch-high wood fence (either 3 plank or split rail). This fence will be located within Howard County's easement, but backs up to private property. The black aluminum Fence Number 4 will be located on County property. The retaining wall material also transitions on the south side of the stream from mortared walls to dry stacked stream walls, as shown in Figure 28.

The Applicant has proposed the two fence types in order to distinguish between private property and County property and to lessen the potential severity of the look of a large amount of black metal fencing. The Applicant is open to any fencing suggestions by the Commission and can change the wood fence to metal if desired.

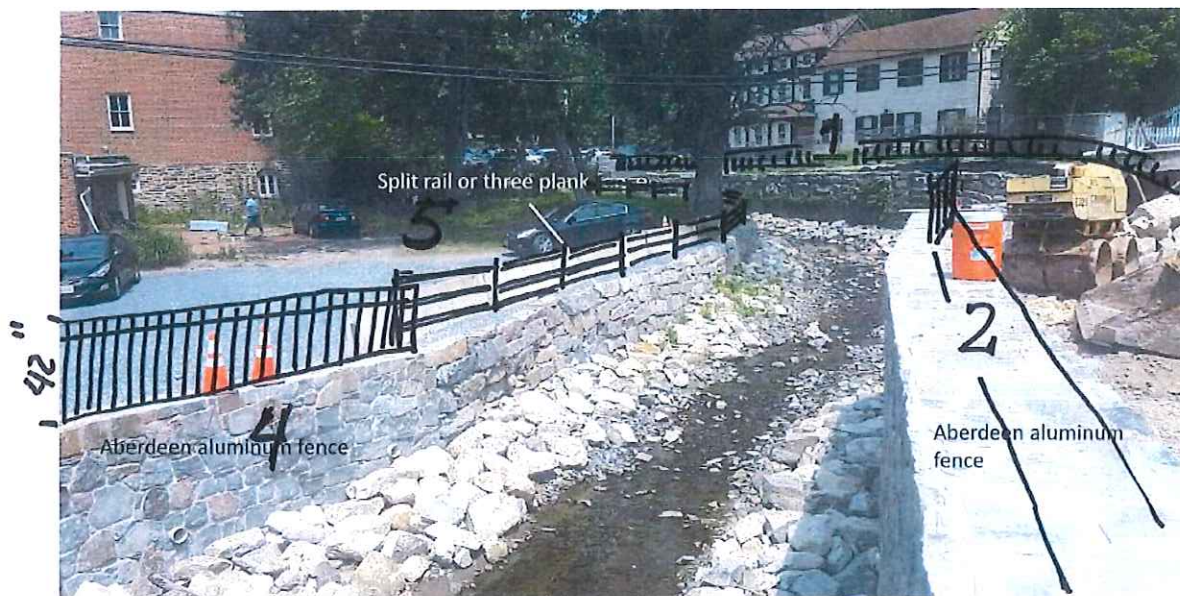
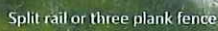


Figure 28 - Proposed fence styles

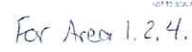
The current sidewalk on the north side of the stream will be expanded to five feet in width. This sidewalk will provide an important connection from the parking lots to Main Street and also provide a view of the stream.



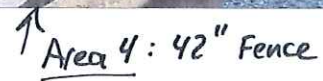
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**Figure 29 – Area 1, North side of stream**



Aberdeen aluminum fence



**Figure 30 – Areas 2, 3 and 4, Court Avenue and South side of stream**





12" Fence + 3' wall = 48" barrier

Figure 30 – Area 3, Court Avenue fence

**Staff Comments:** Chapter 9.D recommends, “install open fencing, generally not more than five feet high, of wood or dark metal” and “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The proposed fences are both wood and dark metal, which comply with the Guidelines. The Aberdeen black aluminum fence will be the only style of black metal fence on this site, which is also consistent with the Guidelines. The Guidelines explain, “split rail or post and rail fences are more appropriate in less densely developed areas such as Upper Church Road, Sylvan Lane and Park Drive.” However, the intent of the change of fencing is to show private versus public property and to blend unobtrusively into the surroundings. Previously there was a split rail fence on the north side of the stream and there was no fence on the south side. The Applicant is amenable to changing the wood fence to metal if the Commission finds that would be more aesthetically pleasing.

**Staff Recommendation:** Staff recommends Approval of the Aberdeen black metal fence as proposed and recommends Approval of the 3-plank wood fence as proposed, but is also open to any suggestions from the Commission.

**Testimony:** Staff advised the Applicant that he did not need to be in attendance. Ms. Burgess said there is a correction on Figure 30, the height of the black metal fence is not 12 inches, it should be 18 inches.

Mr. Roth said the split rail fence echoes the change in the roughness of stones and is ideal for the location.

Mr. Reich asked why the guardrails were proposed for the north side, but not required on the south side. Ms. Burgess said the area has different property owners: the County owns the north side and the south side is privately owned. The owners on the south side, feeling exposed after trees were removed, expressed concerns and wanted a buffer. The County wants to accommodate the private property owner. Ms. Tennor said the guardrails should be required by code. Ms. Burgess said there is a difference in grade. The north side has a larger drop, while the south side has about a three foot drop from the stream base to where the stones are. Mr. Taylor said he did not know if the south side property owners are required by code to have guardrails on a stream bank, since it is natural topography, not a built structure like a deck, for example.

Ms. Tennor asked if the color of the wooden fence will be black. Ms. Holmes said no, it will remain natural and weather to gray.

The Commission agreed that a natural split rail fence looks better than a three plank fence.

**Motion:** Mr. Roth moved to approve as submitted with split rail for Fence Number Five. Mr. Reich seconded. The motion was unanimously approved.

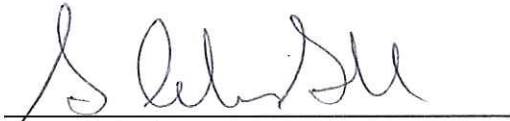
## OTHER BUSINESS

### Discussion of the Ellicott City Master Plan

Mr. Reich was concerned that the HPC has not been part of the overall master plan design process. Mr. Taylor said the Commission could initiate a dialogue with the project manager overseeing the design by sending a letter to offer expertise, which would also establish a record. The letter can go to the Division of Comprehensive and Community Planning, who is managing the project. The Commissioners at this the meeting will draft a letter to be further discussed at the next HPC meeting.

Ms. Tennor moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 9:15 p.m.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.



Allan Shad, Chair



Beth Burgess, Executive Secretary



Samantha Holmes, Preservation Planner



Yvette Zhou, Recording Secretary